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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,184	12/14/2001	Yang-Pioung Kim	946,038	1088

7590

01/26/2004

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EXAMINER

JACKSON, MONIQUE R

ART UNIT

PAPER NUMBER

1773

DATE MAILED: 01/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,184

Applicant(s)

KIM, YANG-PIOUNG

Examiner

Monique R Jackson

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 11/7/03 has been entered. Claims 6-8 have been canceled. New claims 9-10 have been added. Claims 9-10 are pending in the application.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over von Trebra et al (USPN 5,609,945) for the reasons recited generally in the prior office action and restated below.

Von Trebra et al teach a white, translucent, metallized film article comprising a flexible, heat resistant, polymeric film material, preferably polyester, coated on a first side with a metal coating, the second side has a white outermost surface (Abstract; Col. 6, lines 33-34.) Von Trebra et al specifically teach an embodiment comprising a metallized polyester film, a transparent polyester film adhered to the metallized polyester layer via an **adhesive layer, such as those listed at Col. 7, lines 11-20**, and a white coating layer (*white ink*) on the opposite side of the metallized layer (Col. 7, lines 5-67.) Von Trebra et al teach that the polyester is most preferably polyethylene terephthalate, that the metal coating is typically aluminum and that the article may further comprise an additional optional adhesive layer applied by hot melt extrusion (*i.e. hot melt layer*) covering the white coating layer via a photosensitive layer (Col. 6, lines 33-34 and 51-60; Col. 10, lines 31-44.) Von Trebra further teach that the adhesive layer is “preferably colorless” hence suggesting that a colored adhesive layer may be utilized, however they do not teach that the adhesive layer is white hence comprising white pigments and thereby

being a "two-component" adhesive. However, given that the invention is directed to a white film and given the suggestion by von Trebra regarding a colored adhesive layer, it would have been obvious to one having ordinary skill in the art to utilize a white adhesive layer or an adhesive layer comprising white pigments to match the adhesive layer to the same color as the film, particularly given that many conventional adhesive materials are white in color.

Response to Arguments

4. Applicant's arguments filed 11/7/03 have been fully considered but they are not persuasive. The Examiner first notes that the prior office action contained a typographical error in paragraph 6, wherein "Claims 7 and 9" should have read "Claims 6 and 8". With respect to Applicant's arguments that von Trebra does not teach a "hot melt layer", the Examiner refers the Applicant to the hot melt extrusion layer taught by von Trebra which reads on the instant invention given that the instant invention does not exclude a layer in between the white ink layer and the hot melt layer given that the instant invention does not recite that the hot melt layer is directly applied to the white ink layer. Further, though the extrusion layer taught by von Trebra may have a different function than the hot melt layer of the instant invention, the hot melt extrusion layer taught by von Trebra reads on the instant invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J Thibodeau can be reached on 571-272-1516. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 10/022,184

Page 4

Art Unit: 1773

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1700.

A handwritten signature in black ink, appearing to read "Monique R. Jackson".

Monique R. Jackson
Primary Examiner
Technology Center 1700
January 22, 2004